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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,659	10/24/2003	Jeffrey P. Snover	MS1-1741US	9647
22801 7590 04/27/2007 LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER ABEL JALIL, NEVEEN	
			ART UNIT	PAPER NUMBER
			2165	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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lhptoms@leehayes.com

Office Action Summary	Application No. 10/693,659	Applicant(s) SNOVER ET AL.	
	Examiner Neveen Abel-Jalil	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2165

DETAILED ACTION

Remarks

1. In response to Applicant's Amendment filed on 2/8/2007, claim 12 has been cancelled. Therefore, claims 1-11, and 13-23 are now pending in the application.

2. Applicant's Amendment has overcome the previous rejections under 35 USC 101, and 112, second paragraph, and claim objections.

Claim Objections

3. Claims 2, 5-7, 9-10, 14, 20, and 23 are objected to because of the following informalities:

Claim 2, line 2, repeats "the the" making it a typo requiring deletion of one instant.

Claims 2, 14, and 20, recite "in order to" which constitute intended use of the claimed invention. Intended use recitation is the claims never have to occur. Claims should be amended to recite more firm and positive language (i.e. "based on", "is", "to"). Appropriate correction is required.

Claims 9, and 23, recite "for conversion" constitute intended use does actually having to take place. Claim should recite more direct and definite such as "is", "to", or "that". Appropriate correction is required.

Claim 10, line 4, and line 5, both repeat “each each” making it typo requiring deletion of one instant.

Claims 5, 6, and 7 appear to be missing a comma to separate the steps of “identifying” from the step of “processing” towards the last sentence of the claim in order to for the limitations to make sense and present the claim in a better-constructed matter.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2, 7, 9, 20, and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2, and 20, line 6, recite “actually execute and instructions” which does not have matching verb tense thus making the recitation confusing and missing a connection article in order to ascertain its meaning. Correction is required.

Claim 7, recite, “wherein the sequence of object-based commands includes a relation” without any further detail or statement as to what that the “relation” is? Or how it is defined? How it is constructed? Or used? Therefore, making it appear out of context and not in scope with

Art Unit: 2165

the remaining claimed limitation thus failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 9, and 23, recite "conversion for converting" which is indefinite since its not clear a "conversion" of what is being claimed? A conversion factor? A conversion algorithm? A conversion process? Clarification is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-11, and 13-23 are rejected under 35 U.S.C. 102(e) as being anticipated by

Snover (U.S. Pub. No. 2004/0243543 A1).

As to claims 1, and 19, Snover discloses a system that extends data types available to an operating environment, the system comprising:

a processor (See Figure 1, 102); and

a memory, the memory being allocated for a plurality of computer-executable instructions which are loaded into the memory (See Figure 1, 104) for execution by the processor, the computer-executable instructions comprising:

parsing a sequence of object-based commands into individual object-based commands (See Figure 5, 502);

associating each individual object-based command with at least one execution element (See Figure 5, 504, wherein "execution element" reads on "method");

executing each execution element associated with each individual object-based command to produce output objects, the executing act comprising processing each execution element in order of each execution element's associated individual object-based commands in the sequence of object-based commands and inputting into one or more execution elements output objects produced from one or more previously processed execution elements (See page 4, paragraph 0031, and see page 5, paragraphs 0040-0041),

wherein the parsing, associating, and executing acts facilitate resolution of partially unresolved input (See page 4, paragraph 0031, and see page 5, paragraphs 0040-0041).

As to claims 2, and 20, Snover discloses wherein execution of each element is execution dependent upon an execution-supporting operating environment (See page 2, paragraph 0018) in order to actually execute and instructions further comprising resolving each object-based command in the sequence of object-based commands to a data type.

As to claim 3, Snover discloses wherein the data type is not natively supported by the operating environment, the processing further comprises retrieving extended information that defines the data type and creating an instance of the data type for each object-based command in the sequence (See page 3, paragraph 0021).

As to claims 4, 16, and 22, Snover discloses wherein the extended information comprises extended metadata and code, the extended metadata describes the data type and the code comprises additional instructions to populate the instance of the data type (See page 3, paragraph 0021, wherein “metadata” reads on “annotation”).

As to claim 5, Snover discloses comprising receiving the sequence of object-based commands via an object-based command pipeline, wherein the sequence of object-based commands includes a wildcard and the processing further comprises producing a subset of the sequence of object-based commands based on the wildcard (See page 2, paragraph 0016, lines 16-31).

As to claim 6, Snover discloses further comprising receiving the sequence of object-based commands via an object-based command pipeline, wherein the sequence of object-based commands includes a property set and the processing further comprises identifying a plurality of properties associated with the property set and processing the sequence of object-based commands based on the plurality of properties (See pages 4-5, paragraph 40, and see page 5, paragraph 0042).

As to claim 7, Snover discloses comprising receiving the sequence of object-based commands via an object-based command pipeline, wherein the sequence of object-based commands includes a relation and the processing further comprises finding items that the sequence of object-based commands consume based on the relation (See page 5, paragraphs 40-41).

As to claims 8, and 21, Snover discloses further comprising receiving the sequence of object via an object-based command pipeline, wherein the sequence of object-based commands comprises a property path, the property path comprises a series of components that provide navigation to a desired property of each object -based command in the sequence (See page 4, paragraph 0029).

As to claims 9, and 23, Snover discloses wherein the sequence of object-based commands is associated with a first data type and the processing further comprising looking up a conversion for converting the first data type to the data type (See page 4, paragraph 0029).

As to claim 10, Snover discloses wherein each component comprises a property of each object-based command in the sequence, a method of each object-based command in the sequence, a field of each object-based command in the sequence, a third party property, or a third party object method (See page 3, paragraph 0020).

As to claim 11, Snover discloses wherein the sequence of object-based is received as input to a subsequent command in the object-based command pipeline after processing the sequence of object-based commands (See page 2, paragraph 0017).

As to claim 13, Snover discloses wherein a component comprises a reference to registered code (See pages 3-4, paragraph 0026).

As to claim 14, Snover discloses a computer storage medium for facilitating resolution of partially unresolved input, the medium having computer executable instructions, the instructions comprising:

receiving one or more parseable input objects (See page 4, paragraph 0028), the input objects being output from an already processed execution element that is associated with one or more object-based commands of a sequence of commands obtained via an object-based command pipeline within an execution-supporting operating environment, the one or more parseable input objects including content that uses a data type that is not natively supported by the execution-supporting operating environment, wherein the execution of an execution element is execution dependent upon the execution-supporting operating environment in order to actually execute (See page 4, paragraph 0031, and see page 5, paragraphs 0040-0041);

retrieving extended information that defines the data type (See page 3, paragraph 0021);
and

creating an instance of the data type (See page 3, paragraph 0020, lines 20-24),

Art Unit: 2165

wherein the receiving, retrieving, and creating acts facilitate resolution of partially unresolved input.

As to claim 15, Snover discloses wherein the one or more parseable input objects comprises a Windows Management Instrumentation (WMI) input, an ActiveX Data Object (ADO) input, an XML input, or a third party data format (See page 3, paragraph 0019).

As to claim 15, Snover discloses wherein the one or more parseable input objects comprises a third party object that provides an additional property to an object supported natively within the execution-supporting operating environment (See page 3, paragraph 0020, lines 7-16).

As to claim 18, Snover discloses wherein the one or more parseable input comprises an ontology service (See page 5, paragraph 0042, wherein syntax is part of ontology).

Response to Arguments

8. Applicant's arguments with respect to claims 1-11, and 13-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Snover (U.S. Pub. No. 2004/0249780 A1) teaches object based pipeline.

Muhlestein et al. (U.S. Pub. No. 2003/0018765 A1) teaches command line utility to facilitate management without user written scripts.

Snover et al. (U.S. Pub. No. 2005/0004973 A1) teaches reflection based processing of input parameters for commands.

Snover et al. (U.S. Pub. No. 2004/0230987 A1) teaches expected parameter for a command.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5: 30PM EST.

Art Unit: 2165

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Neeven Abel-Jalil', with a stylized flourish at the end.

Neveen Abel-Jalil
April 23, 2007